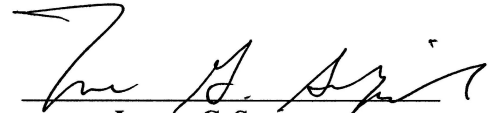


The entire stipulation below is SO ORDERED. The Clerk of Court is respectfully directed to terminate William Latimer as defendant.

Dated: January 15, 2025
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

TIMOTHY RODGERS,

Plaintiff,

-against-

MERCY COLLEGE, DR. JOSE HERRERA,
TIMOTHY HALL, DR. KRISTINE SOUTHARD,
and WILLIAM LATIMER,

Defendants.

Civil Case No.
1:23-cv-07278-LGS

**STIPULATION OF
PARTIAL DISMISSAL
WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys of record that, whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the claims and causes of action set forth in the Complaint filed in the above entitled action be, and the same hereby are dismissed *with prejudice*, as follows:

1. As against defendants, TIMOTHY HALL and DR. JOSE HERRERA:

- a. Claims under 42 U.S.C. §2000 (d) (i.e., Title VI of the Civil Rights Act of 1964) (“Title VI”) of discrimination.

2. As against defendants, MERCY COLLEGE, TIMOTHY HALL, and DR. JOSE HERRERA:

- a. Claims under 42 U.S.C. § 1981 of the Civil Rights Act of 1866 (“Section 1981”) and the New York State Human Rights Law, N.Y.S. Executive Law § 296 (“NYSHRL”) and Title VI of hostile work environment;
- b. Claims under Title VI, Section 1981 and the NYSHRL of retaliation.

3. As against defendant, DR. KRISTINE SOUTHARD:

- a. Claims of retaliation under Section 1981 and the NYSHRL.

4. As against defendant, WILLIAM LATIMER:

- a. ALL claims and causes of action asserted.

5. Accordingly, the only claims remaining in this action are as follows:

- a. A claim of breach of contract against MERCY COLLEGE;
- b. Claims of discrimination under Title VI, Section 1981, and the NYSHRL against MERCY COLLEGE;
- c. Claims of discrimination under Section 1981 and the NYSHRL against TIMOTHY HALL and DR. JOSE HERRERA;
- d. Claims of discrimination under Section 1981 and the NYSHRL against DR. KRISTINE SOUTHARD; and
- e. Claims of hostile work environment under Section 1981 and the NYSHRL against DR. KRISTINE SOUTHARD.

IT IS FURTHER STIPULATED AND AGREED, that dismissal of the foregoing counts is without costs, fees, or disbursements to any party relative to the dismissed claims.

IT IS FURTHER STIPULATED AND AGREED, that this Stipulation may be executed in counterparts; that facsimile or electronic signatures have the same force and effect as originals; and that this Stipulation may be filed with the Clerk of the Court without further notice.

AGREED this 13th day of January, 2025.

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